



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Gibson, et al.

SERIAL NO.: 09/699,002 GROUP ART UNIT: 1616

FILED: October 26, 2000 EXAMINER: Badio

FOR: HIGH VISCOSITY LIQUID CONTROLLED DELIVERY SYSTEM AND MEDICAL OR SURGICAL DEVICE

ATTORNEY DOCKET NO.: S0351/249009

I hereby certify that this correspondence is being deposited with the United States Postal Service as certified first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 25, 2004.


Emily Foos

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DATE: August 25, 2004

PETITION FOR EXTENSION OF TIME

Sir:

Pursuant to 37 C.F.R. 1.136(a), Applicants petition the Commissioner for Patents for a one-month extension of time, through and including September 6, 2004, to respond to the Office Action mailed on May 6, 2004. Enclosed is a check in the amount of \$110, the fee pursuant to 37 C.F.R. 1.17(a). The Commissioner is authorized to charge any additional fee relating to this filing to Deposit Account No. 11-0855.

Respectfully submitted,

08/31/2004 WASFAW1 00000046 09699002

01 FC:1251

110.00 OP


Bruce D. Gray
Reg. No. 35,799

KILPATRICK STOCKTON LLP
Suite 2800, 1100 Peachtree Street
Atlanta, Georgia 30309-4530
(404) 815-6218

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)
110

<i>Complete if Known</i>	
Application Number	09/699,002
Filing Date	October 26, 2000
First Named Inventor	Gibson, et al.
Examiner Name	Badio
Art Unit	1616
Attorney Docket No.	S0351/249009

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																																															
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None Order <input type="checkbox"/> Deposit Account: Deposit Account Number 11-0855				3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> </tr> </thead> <tbody> <tr> <td>Fee Code</td> <td>Fee (\$)</td> <td>Fee Code</td> <td>Fee (\$)</td> <td>Fee Description</td> <td>Fee Paid</td> </tr> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet.</td> <td></td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> <td>110</td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>950</td> <td>2253</td> <td>475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>2254</td> <td>740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2,010</td> <td>2255</td> <td>1,005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>330</td> <td>2401</td> <td>165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>330</td> <td>2402</td> <td>165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive – unavoidable</td> <td></td> </tr> <tr> <td>1453</td> <td>1,330</td> <td>2453</td> <td>665</td> <td>Petition to revive – unintentional</td> <td></td> </tr> <tr> <td>1501</td> <td>1,330</td> <td>2501</td> <td>665</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502</td> <td>480</td> <td>2502</td> <td>240</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1503</td> <td>640</td> <td>2503</td> <td>320</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>1460</td> <td>130</td> <td>1460</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Processing fee under 37 CFR 1.17 (q)</td> <td></td> </tr> <tr> <td>1806</td> <td>180</td> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>1809</td> <td>770</td> <td>2809</td> <td>385</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>1810</td> <td>770</td> <td>2810</td> <td>385</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>1801</td> <td>770</td> <td>2801</td> <td>385</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td colspan="2">SUBTOTAL (3) (\$ 110)</td> </tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3) (\$ 110)</td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month	110	1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2,010	2255	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive – unavoidable		1453	1,330	2453	665	Petition to revive – unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) _____				SUBTOTAL (3) (\$ 110)		*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 110)	
Large Entity	Small Entity																																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																														
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																																															
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																																															
1053	130	1053	130	Non-English specification																																																																																																																																																																																															
1812	2,520	1812	2,520	For filing a request for reexamination																																																																																																																																																																																															
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																															
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																															
1251	110	2251	55	Extension for reply within first month	110																																																																																																																																																																																														
1252	420	2252	210	Extension for reply within second month																																																																																																																																																																																															
1253	950	2253	475	Extension for reply within third month																																																																																																																																																																																															
1254	1,480	2254	740	Extension for reply within fourth month																																																																																																																																																																																															
1255	2,010	2255	1,005	Extension for reply within fifth month																																																																																																																																																																																															
1401	330	2401	165	Notice of Appeal																																																																																																																																																																																															
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																																															
1403	290	2403	145	Request for oral hearing																																																																																																																																																																																															
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																															
1452	110	2452	55	Petition to revive – unavoidable																																																																																																																																																																																															
1453	1,330	2453	665	Petition to revive – unintentional																																																																																																																																																																																															
1501	1,330	2501	665	Utility issue fee (or reissue)																																																																																																																																																																																															
1502	480	2502	240	Design issue fee																																																																																																																																																																																															
1503	640	2503	320	Plant issue fee																																																																																																																																																																																															
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																															
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)																																																																																																																																																																																															
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																															
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																															
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																															
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																															
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																																																															
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																															
Other fee (specify) _____				SUBTOTAL (3) (\$ 110)																																																																																																																																																																																															
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 110)																																																																																																																																																																																															
Total Claims -20 ** = <input type="text"/> 0 X <input type="text"/> = <input type="text"/> 0 Independent Claims -3 ** = <input type="text"/> 0 X <input type="text"/> = <input type="text"/> 0 Multiple Dependent X <input type="text"/> = <input type="text"/> 0				Extra Claims Fee from below Fee Paid Fee Description Fee Paid																																																																																																																																																																																															
1. BASIC FILING FEE <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> </tr> </thead> <tbody> <tr> <td>Fee Code</td> <td>Fee (\$)</td> <td>Fee Code</td> <td>Fee (\$)</td> </tr> <tr> <td>1001</td> <td>770</td> <td>2001</td> <td>385</td> <td>Utility filing fee</td> <td><input type="text"/></td> </tr> <tr> <td>1002</td> <td>340</td> <td>2002</td> <td>170</td> <td>Design filing fee</td> <td><input type="text"/></td> </tr> <tr> <td>1003</td> <td>530</td> <td>2003</td> <td>265</td> <td>Plant filing fee</td> <td><input type="text"/></td> </tr> <tr> <td>1004</td> <td>770</td> <td>2004</td> <td>385</td> <td>Reissue filing fee</td> <td><input type="text"/></td> </tr> <tr> <td>1005</td> <td>160</td> <td>2005</td> <td>80</td> <td>Provisional filing fee</td> <td><input type="text"/></td> </tr> <tr> <td colspan="2">SUBTOTAL (1)</td> <td colspan="2">(\$ 0)</td> <td>Fee Description</td> <td>Fee Paid</td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1001	770	2001	385	Utility filing fee	<input type="text"/>	1002	340	2002	170	Design filing fee	<input type="text"/>	1003	530	2003	265	Plant filing fee	<input type="text"/>	1004	770	2004	385	Reissue filing fee	<input type="text"/>	1005	160	2005	80	Provisional filing fee	<input type="text"/>	SUBTOTAL (1)		(\$ 0)		Fee Description	Fee Paid	2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>-20 **</td> <td>= <input type="text"/> 0</td> <td>X <input type="text"/> = <input type="text"/> 0</td> </tr> <tr> <td>Independent Claims</td> <td>-3 **</td> <td>= <input type="text"/> 0</td> <td>X <input type="text"/> = <input type="text"/> 0</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td>X <input type="text"/> = <input type="text"/> 0</td> <td></td> </tr> <tr> <td colspan="2">SUBTOTAL (2)</td> <td colspan="2">(\$ 0)</td> </tr></tbody></table>				Total Claims	Extra Claims	Fee from below	Fee Paid	Total Claims	-20 **	= <input type="text"/> 0	X <input type="text"/> = <input type="text"/> 0	Independent Claims	-3 **	= <input type="text"/> 0	X <input type="text"/> = <input type="text"/> 0	Multiple Dependent		X <input type="text"/> = <input type="text"/> 0		SUBTOTAL (2)		(\$ 0)																																																																																																																															
Large Entity	Small Entity																																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																																
1001	770	2001	385	Utility filing fee	<input type="text"/>																																																																																																																																																																																														
1002	340	2002	170	Design filing fee	<input type="text"/>																																																																																																																																																																																														
1003	530	2003	265	Plant filing fee	<input type="text"/>																																																																																																																																																																																														
1004	770	2004	385	Reissue filing fee	<input type="text"/>																																																																																																																																																																																														
1005	160	2005	80	Provisional filing fee	<input type="text"/>																																																																																																																																																																																														
SUBTOTAL (1)		(\$ 0)		Fee Description	Fee Paid																																																																																																																																																																																														
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																																																
Total Claims	-20 **	= <input type="text"/> 0	X <input type="text"/> = <input type="text"/> 0																																																																																																																																																																																																
Independent Claims	-3 **	= <input type="text"/> 0	X <input type="text"/> = <input type="text"/> 0																																																																																																																																																																																																
Multiple Dependent		X <input type="text"/> = <input type="text"/> 0																																																																																																																																																																																																	
SUBTOTAL (2)		(\$ 0)																																																																																																																																																																																																	

*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY			Complete (if applicable)		
Name (Print/Type)	Bruce D. Gray	Registration No. (Attorney/Agent)	35,799	Telephone	404.815.6218
Signature			Date	August 25, 2004	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comment on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.